

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, Plaintiff v. WASHINGTON GROUP INTERNATIONAL, INC., Defendant.	Docket No. 04-12097-GAO
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**AFFIDAVIT IN SUPPORT OF MOTION TO INTERVENE AS PLAINTIFFS
AND TO ADD AS DEFENDANTS, RON BENNETT, MICHAEL FOGARTY, AND
DENNIS WOODRUFF**

I, Todd J. Bennett, do hereby affirm, depose and state:

1. I am an attorney, licensed to practice law in the Commonwealth of Massachusetts.
2. I have been the attorney representing Leonard Bell, John Baldwin, Wayne Henderson and Johannes Kaindoh in their litigation before the Equal Employment Opportunity Commission (“EEOC”).
3. In my capacity as their attorney, I know from firsthand knowledge that they filed Charges with the Massachusetts Commission Against Discrimination, which was duly filed with the EEOC, that the EEOC found probable cause for discrimination in those Charges and filed a Complaint based on the Charges of Messrs. Baldwin, Bell, Henderson and Kaindoh and others, following an unsuccessful attempt at conciliation.

Signed under the pains and penalties of perjury this 23 day of November, 2004.


 Todd J. Bennett

Before me, a Notary Public in and for the Commonwealth of Massachusetts, personally appeared Todd. J. Bennett, who affirmed that the contents of this Affidavit are true and subscribed to the same on the line provided for his signature

Notary Public:

My Commission Expires: